

difference it makes whether that person lives or dies when he has robbed a human being of the most precious of all things--his life and has, without any feeling of compassion or concern, deliberately eradicated another human being from the face of this earth for whatever motive it may be and I'm not speaking of crimes of passion where men get in an argument or a husband and wife have difficulties and do a little stabbing or those kind. I'm speaking of the deliberate, deliberate premeditated murder. I cannot see what difference it makes to execute that kind of a person. If we want to have public executions, that's fine with me too. At least that person is out of the way and I'm sure that someone must give second thoughts. That punishment is a deterrent to crime has been demonstrated as far as I'm concerned, in recent months. You notice that since the last escapade, the last two hijacking escapades to Cuba where the hijackers were incarcerated instead of made public heroes, hijacking has abrupt--to Cuba has abruptly stopped and this is for no other--and most of these hijackers are unbalanced people, probably all of them and yet; these people, this type of person, this unbalanced type of person has brains enough and sense enough to now realize that it is no sensational publicity seeking jaunt to hijack a plane and go to Cuba. When the prison gates wait at the other end, it's lost its appeal and this is also true, I'm sure, would be true, of most other crimes, so I, I, I'm just a little bit dubious about this bill and maybe that's the best we can get, I'm not criticizing anybody. I don't to be misunderstood. I'm not criticizing anybody, but I do, I'm just beginning to wonder whether we're doing, we're saying what we're, or we mean what we're trying to say here and I think we should give it serious consideration and I certainly oppose these amendments.

PRESIDENT: Chair recognizes Senator Fellman. We're still speaking, of course, on the DeCamp amendments. I'd like to have the, I know that it's difficult to separate the discussion of the amendments from the bill, but actually, that is the point to which we should address ourselves.

SENATOR FELLMAN: Mr. President and Members of the Legislature. I rise to express my own point of view which is against the amendment, Senator DeCamp's amendment and also against the bill. I do this with some hesitation because I doubt very much whether debate on the floor of this Legislature today on this particular issue will have much of an effect in changing anyone's mind because it seems to me the discussion and the reaction of most of us here as well as most people on the question of capital punishment is far more emotional than rational. I can see no basis for Senator DeCamp's amendments with all respect to Senator DeCamp, especially this self-inflicted proposal that is, is that out of this one now? It's another amendment that you propose. That's coming later and I might not have a chance to talk. Confining myself to this, it seems to me that regardless of public opinion, we ought to look at some of the basic facts and they are that we have had capital punishment now all these years and no one can argue that it has been a deterrent to crime. No one can argue that it has stopped anything. In Canada some years ago there, about 5 years ago, there was a trial abandonment of capital punishment. It has worked and they have continued it. In Canada they have developed some statistics and one of the interesting facts they've found is this; that since 1867 until 1967 when they abolished capital punishment, there was only one person convicted of murder, sentenced to life, who committed a second murder. One person in a hundred years. Now I'm not justifying what that one person did or his acts. It's heinous and no one would applaud it, but it seems to me we are not looking at the facts if we say that even this nth degree, that is the person on death row or the person convicted to life, the so-called person that has nothing to lose, that that person should be charged with capital punishment if he commits a murder. Even in that situation, the